

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JENTEL JOHNSON

Plaintiff,

V.

**CONTRACT FREIGHT, INC.
Defendant.**

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Civil Action No. 4:21-cv-879

NOTICE OF REMOVAL

Defendant, **CONTRACT FREIGHT, INC.**, through undersigned counsel, petition this court pursuant to 28 U.S.C. §1441 and 1446, for removal of this action currently filed in the 157th Judicial District Court of Harris County, Texas. In support of this petition, Defendant states as follows:

BACKGROUND

1. On January 26, 2021, Plaintiff, **JENTEL JOHNSON**, filed an Original Petition against **CONTRACT FREIGHT, INC.** alleging personal injury damages as a result of a motor vehicle accident. This Petition is styled, *Jentel Johnson v. Contract Freight, Inc.*; Cause No. 2021-09161; and was filed in the 157th Judicial District Court of Harris County, Texas.

2. The Original Petition was filed on February 12, 2021, and served on Defendant on March 3, 2021. This Notice of Removal is filed with this Court within thirty (30) days of service of the initial pleading upon the removing Defendant, as required by 28 U.S.C. § 1446(b).

3. The state court action was on file in Harris County. Therefore, Defendant is entitled to remove this action to the United States District Court for the Southern District of Texas, Houston Division.

4. Plaintiff, Jentel Johnson is a resident of the state of Texas.

5. Defendant, **CONTRACT FREIGHT, INC.**, is a Missouri corporation with its

properties and offices in Joplin, Missouri.

6. The basis for the removal is diversity jurisdiction under 28 U.S.C. § 1332. Plaintiff has alleged negligence and personal injury arising out of a motor vehicle accident and has pled that damages are in excess of \$1,000,000. See Section IV of Plaintiff's Original Petition. Therefore, jurisdiction in this court is proper.

7. The District Clerk for Harris County, Texas and Plaintiff has been given written notice of the filing of this Notice of Removal.

8. Defendant, therefore, respectfully requests the removal of this action from the 157th Judicial District Court of Harris County, Texas.

Respectfully submitted,

LORANCE THOMPSON



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Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of March, 2021, a true and correct copy of the foregoing instrument was served by facsimile, e-file, U.S. Mail and/or certified mail, return receipt requested, to the following counsel of record:

Anthony G. Buzbee
Ryan S. Pigg
Cornelia Brandfield-Harvey
THE BUZBEE LAW FIRM
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A rectangular box containing a handwritten signature in cursive script that reads "Eric R. Benton".

Eric R. Benton